

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

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|--------------------------|---|---------------------------|
| BIOCONVERGENCE LLC |) | |
| d/b/a SINGOTA SOLUTIONS, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 1:19-cv-01745-SEB-TAB |
| |) | |
| JASPREET ATTARIWALA, |) | |
| |) | |
| Defendant. |) | |

**ORDER ON DEFENDANT'S EMERGENCY MOTION FOR RELIEF AND MOTION
TO FILE EXHIBIT UNDER SEAL**

Before the Court are two motions filed by Defendant Jaspreet Attariwala: (1) Defendant's Emergency Motion for Relief and Protective Order for Deposition and Extension to Respond to Plaintiff's Motion for Sanctions and Motion to Amend Inspection Order [[Filing No. 252](#)]; and (2) Defendant's Motion to File Exhibit Under Seal and Remain Permanently Under Seal [[Filing No. 253](#)]. Attariwala was scheduled to attend a deposition at the request of Plaintiff Bioconvergence LLC d/b/a Singota Solutions on November 3, 2020, and to respond to Singota's motion for sanctions and to amend inspection order by November 4, 2020. [[Filing No. 252, at ECF p. 1.](#)]

In her motion seeking emergency relief, Attariwala represented to the Court that she recently experienced a miscarriage and requested that her deposition be delayed by 30 days and her deadline to respond to Singota's motion be extended at least 60 days. [[Filing No. 252, at ECF p. 2.](#)] Attariwala also filed a motion seeking permission to file a physician's note under seal as an exhibit to her emergency motion for relief. [[Filing No. 253.](#)] In response, based on Attariwala's representations in her motion of personal circumstances necessitating delay, Singota

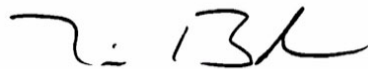
withdrew its notice of deposition for November 3, 2020. [[Filing No. 255, at ECF p. 2.](#)]

However, Singota also recited numerous unsuccessful attempts to depose both Attariwala and her husband due to their refusal to cooperate, avoidance, and delay. [[Filing No. 255, at ECF p. 2-7.](#)]

Because Singota withdrew its notice of deposition for Attariwala's November 3, 2020, deposition, Attariwala's motion for emergency relief [[Filing No. 253](#)] is denied as moot to the extent it seeks to delay her deposition. As a result, the motion to file under seal [[Filing No. 253](#)] is likewise denied as moot as there is no need to file the physician's note under seal (thereby also avoiding the other problems this motion created as noted in Singota's response brief).

Nevertheless, the Court takes this opportunity to observe that Attariwala and her husband have demonstrated a pattern of delay and avoidance in relation to being deposed. This will not be tolerated. However, with due regard to Attariwala's medical issue, Singota shall not re-schedule Attariwala's deposition before January 1, 2021. Attariwala's motion seeking additional time to respond to Singota's motion [[Filing No. 252](#)] is granted in part, but her request for 60 additional days is excessive. Attariwala shall file her response by December 18, 2020.

Date: 12/3/2020



Tim A. Baker
United States Magistrate Judge
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email

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